GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department – Departmental Proceedings initiated against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 – Punishment of "withholding of 10% (ten percent) pension for a period of five (5) years besides recovery of Rs.4,43,500/- and the suspension period from 12.07.2010 to 24.10.2010 treated as not on duty" against the Charged Officer – Imposed - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.57 **Dated:17.08.2022**

Read the following:

1)From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.33145/2011/A&DC-2, dated 12.06.2020.
2)Memo.No.1922/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 26.11.2020.
3)From the PCCF & HoFF, A.P., Guntur, Lr.Rc.No.33145/2011/A&DC-2, dated 11.03.2022.
4)Letter.No.1922/Sec.IV/A1/2020, EFS & T (Sec.IV) Dept., dated 23.05.2022.
5)From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/26/2022-DC SEC-APPSC Computer No.1741331, dated 06.07.2022.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur has informed that the following Articles of Charges were issued to Sri K.S. Jagannadha Rao, Forest Beat Officer, Neelakantapuram Beat, Mondenkhal Section, Kurupam Range, Vizianagaram Division by the Divisional Forest Officer, Vizianagaram in Rc.No.1432/2010/S3, dated 26.07.2010, under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991:-

Article-I:"That the said Sri K.S. Jagannadha Rao, Forest Beat Officer, Neelakantapuram Beat of Mondenkhal Section of Kurupam Range during the above said period of working as Forest Beat Officer, Neelakantapuram Beat(O.D) had shown gross neglect of duty and allowed illicit quarry operations in J.K. Block R.F. Neelakantapuram Beat, Mondenkhal Section of Kurupam Range. Hence the Charge".

Article-II:"That the said Sri K.S. Jagannadha Rao, Forest Beat Officer has failed to submit his explanation to the Explanation Memo., issued in DFO., VZM Rc.No.1432/2010/S3, dated 26.03.2010. Hence, the charge".

2. The Charged Officer acknowledged the receipt of Articles of Charges on 16.08.2010 and submitted his written defence statement on 01.09.2010. The Divisional Forest Officer, Vizianagaram appointed the Sub-Divisional Forest Officer, Parvathipuram as Inquiry Officer and the Forest Range Officer, I/c Parvathipuram as Presenting Officer in Rc.No.1432/2010/S3, dated 02.12.2010, for conducting the regular enquiry.

[P.T.O]

3. The Inquiry Officer & the Sub-Divisional Forest Officer, Parvathipuram has completed the inquiry and submitted his findings in Rc.No.70/2010, dated 21.12.2011, wherein the Inquiry Officer concluded as follows:-

> "As per the evidence produced before the Inquiry Officer and Presenting Officer, the Dy. Range Officer, Striking Force could not prove satisfactorily that the illegal quarrying area i.e., 0.46 Ha. is falling din the R.F. The Deputy Range Officer, Striking Force has not booked any case for the illegal quarrying, either under A.P. Forest Act, 1967 and Forest Conservation Act, 1980. As such, the Charged Officer may avail benefit of doubt, basing on the reports of the Tahsildar, Kurupam (Los.160/2010, dt.28.09.2010) and the Forest Range Officer, Kurupam (Rc.no.527/2010, dt.05.05.2011). As such, there is no evidence to prove that the Charged Officer neglected his duty, as the quarry area is falling in the Revenue land bearing Sy.No.69 M.C.
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> As per the location sketch signed by the Mandal Surveyor and Section Officer & attested by the Forest Range Officer, Kurupam, the quarry point is situated in Sy.No.69 M.C. Hence, the Charge No.I is not proved.
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> Charge No-II, is not an independent charge and it is part and parcel of Charge-I. The contention is that the Charged Officer failed to submit his explanation to the memo issued by the DFO, Vizianagaram in Rc.no.1432/2010/S3, dt.26.03.2010. This memo is relating to illegal quarrying in the R.F., J.K. Block of Kurupam Range, Vizianagaram".

4. The Divisional Forest Officer, Vizianagaram has communicated the findings of the Inquiry Officer to the Charged Officer in Rc.No.1432/2010/S3, dated 24.12.2011 along-with disagreement factors. The Charged Officer acknowledged the final notice on 30.12.2011 and submitted his further defence statement on 31.12.2011.

5. After examining the findings, defense statement and connected case records, the disciplinary case was finalized by the Divisional Forest Officer, Vizianagaram by awarding a punishment of "stoppage of one increment without cumulative effect, which will have no effect on pension and the suspension period underwent by the Charged Officer is treated as not-duty", against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division vide Rc.No.1432/2010/S3, dated 26.01.2012.

6. The Principal Chief Conservator of Forests & HoFF, A.P., Guntur has informed that Sri V. Ramesh, Forest Range Officer (Retd.) was also involved in this disciplinary case. While finalizing the departmental proceedings initiated against Sri V. Ramesh, Forest Range Officer, Kurupam Range, on verification of findings and further defense statement of Sri V. Ramesh, Forest Range Officer, certain omissions were found. Accordingly, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur had called for certain information from the Chief Conservator of Forests, Visakhapatnam vide letter Ref.No.33145/2011/A&DC-1, dated 22.11.2017. Accordingly, the Chief Conservator of Forests, Visakhapatnam vide letter Rc.No.2175/2011/M8, dated 12.12.2017 submitted the latest status of quarry and financial implications due to illegal quarrying in the Forest Area.

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7. After examining the Chief Conservator of Forests, Visakhapatnam report, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur had ordered in Ref.No.33145/2011/A&DC-1, dated 07.01.2018, for de-novo enquiry, since all the (3) Field Officers (i.e., Forest Range Officer, Forest Section Officer & Forest Beat Officer) were responsible for a sum of Rs. 8,87,000/- towards Government loss sustained due to illegal quarrying.

8. Accordingly, the Chief Conservator of Forests, Visakhapatnam in Rc.No.2175/2011/M8, dated 09.4.2019 has forwarded the findings of the Divisional Forest Officer, Vizianagaram submitted in Rc.No.1432/2010/S3, dated 30.03.2019 in respect of Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division to the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur wherein, the Inquiry Officer has concluded as follows:-

> **Article-I:**"The quarrying took place in J.K. Block Comp.No.61 is established beyond doubt since the present Divisional Forest Officer, Vizianagaram, in the disciplinary case of Sri V. Ramesh, the then Forest Range Officer is one and the same and confirmed that the quarry pits are fallen inside the Compartment No.61 of J.K. Block as per the Arc-view layers and the loss sustained to Government to a tune of Rs.8,87,000/- towards quarried stone transported in J.K. Block of Neelakantapuram Beat unauthorizedly, as per the report of the then Dy. Range Officer, Striking Force, Vizianagaram Division dt.24.03.2010 is established. Hence, the loss sustained to Government of the material loss has to be recovered from the Charged Officer as per apportioned amount to him. Hence, the charge against the Charged Officer is held proved".
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> **Article-II:**"The Charged Officer was called for explanation for allowing illicit quarry in R.F. vide DFOs, Vizianagaram Rc.no.1432/2010/53, dated 26.03.2010 which was acknowledged by him on 22.04.2010. But, he has not submitted his explanation. Hence, the Charged Officer is guilty of the charge and hence the charge against the Charged Officer is held proved".

9. The Principal Chief Conservator of Forests & HoFF, A.P., Guntur has communicated the findings of the Inquiry Officer to the Charged Officer in Ref.No.33145/2011/A&DC-2, dated 10.07.2019, for submission of further defense. The Charged Officer acknowledged the final notice on 12.09.2019 and did not submit his further defence statement.

10. The Principal Chief Conservator of Forests & HoFF, A.P., Guntur has informed that as per the check-slip information, the loss sustained to Government is Rs.8,87,000/- as per the actual measurement of new pit. The loss has been apportioned to all the Charged Officers i.e., Forest Range Officer, Forest Section Officer and Forest Beat Officer as per Govt.Memo.No.6836/For.IV/2005, EFS & T (For.IV) Dept., dt.22.11.2005 as follows:-

Name of the Charged Officer.	Share in Rupees.
Sri V. Ramesh, Forest Range Officer (Retd.), earlier Kurupam Range.	2,21,750/-(25%)
Sri J.S. Sanyasi Rao, Forest Section Officer, Kurupam Section, earlier I/c Mondenkhal Section, Kurupam Range.	2,21,750/- (25%)
Sri K.S. Jagannadharao, Forest Beat Officer (Retd.), formerly Neelakantapuram Beat, Mondenkhal Section, Kurupam Range.	4,43,500/- (50%)
Total	**8,87,000/-**

[P.T.O]

11. The Charged Officer has retired from Government Service on attaining the age of superannuation on 30.09.2017. Hence, the disciplinary proceedings are continued under Rule 9 of A.P. Revised Pension Rules, 1980.

12. After careful examination of the matter, Government have taken a provisional decision to impose a punishment of "withholding of 10% (ten percent) pension for a period of five (5) years besides recovery of Rs.4,43,500/- and the suspension period from 12.07.2010 to 24.10.2010 is treated as not on duty", against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division, under Rule-9 of A.P. Revised Pension Rules, 1980. Accordingly, in Memo., 2nd read above, a Show-cause Notice was issued to the Charged Officer through Principal Chief Conservator of Forests & HoFF, A.P., Guntur. In the reference 3rd read above, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur has informed that Show-cause Notice was communicated to the Charged Officer in Ref.No.33145/2011/A&DC-2, dated 06.12.2020 and the same was acknowledged by the Charged Officer but did not submit further defence statement.

13. After careful examination of the entire issue, Government have decided to confirm the provisional decision to impose a punishment of "withholding of 10% (ten percent) pension for a period of five (5) years besides recovery of Rs.4,43,500/- and the suspension period from 12.07.2010 to 24.10.2010 is treated as not on duty", against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

14. In the letter 4th read above, the Secretary, A.P. Public Service Commission has been requested to obtain and communicate the concurrence of the Commission on proposed punishment, for taking further action in the matter.

15. In the letter 5th read above, the Secretary, A.P. Public Service Commission has stated that the Commission agreed with the proposal of the Government, to impose a punishment of "withholding of 10% (ten percent) pension for a period of five (5) years besides recovery of Rs.4,43,500/- and to treat the suspension period from 12.07.2010 to 24.10.2010 as not on duty", against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division.

16. After careful examination of the entire matter, the Government hereby order to impose a punishment of "withholding of 10% (ten percent) pension for a period of five (5) years besides recovery of Rs.4,43,500/- and the suspension period from 12.07.2010 to 24.10.2010 is treated as not on duty", against Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

17. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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To
Sri K.S. Jagannadha Rao, Forest Beat Officer (Retd.), earlier worked at Neelakantapuram Beat of Kurupam Range, Vizianagaram Division through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.
The Principal Chief Conservator of Forests & HoFF, A.P., Guntur. (with original connected case record i.e., DFO, Vizianagaram File No.1432/2010/S3 containing CF pages from 1 to 482 and NF pages from 1 to 31)

Copy to:

The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to M (Energy, EFS&T, Mines&Geology).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The PS to the Special Chief Secretary to Government, EFS&T Department.
SF/SC (Computer No.1173695).

//FORWARDED :: BY ORDER//

SECTION OFFICER